

1 KELLER BENVENUTTI KIM LLP  
Tobias S. Keller (#151445)  
2 (tkeller@kbbkllp.com)  
Peter J. Benvenutti (#60566)  
3 (pbenvenutti@kbbkllp.com)  
Jane Kim (#298192)  
4 (jkim@kbbkllp.com)  
650 California Street, Suite 1900  
5 San Francisco, CA 94108  
Tel: 415 496 6723  
6 Fax: 650 636 9251

7 *Attorneys for Debtors and Reorganized Debtors*

8  
9 **UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

11  
12 **In re:**

13 **PG&E CORPORATION,**

14 **- and -**

15 **PACIFIC GAS AND ELECTRIC**  
16 **COMPANY,**

17 **Debtors.**

- 18 ☐ Affects PG&E Corporation  
19 ☐ Affects Pacific Gas and Electric Company  
20 ☒ Affects both Debtors

21 *\* All papers shall be filed in the Lead Case, No.*  
22 *19-30088 (DM).*

Bankruptcy Case No. 19-30088 (DM)

Chapter 11

(Lead Case) (Jointly Administered)

**DECLARATION OF RENEE RECORDS IN  
SUPPORT OF REORGANIZED DEBTORS'  
SEVENTY-SIXTH OMNIBUS OBJECTION  
TO CLAIMS (NO LIABILITY /  
PASSTHROUGH CLAIMS)**

**Response Deadline:**  
**May 12, 2021, 4:00 p.m. (PT)**

**Hearing Information If Timely Response Made:**

Date: May 26, 2021

Time: 10:00 a.m. (Pacific Time)

Place: (Telephonic Appearances Only)

United States Bankruptcy Court

Courtroom 17, 16th Floor

San Francisco, CA 94102

1 I, Renee Records, pursuant to section 1746 of title 28 of the United States Code, hereby declare  
2 under penalty of perjury that the following is true and correct to the best of my knowledge, information,  
3 and belief:

4 1. I am the Claims Manager at Pacific Gas and Electric Company (the “**Utility**” or “**PG&E**,”  
5 and, with PG&E Corporation, the “**Debtors**,” or, as reorganized pursuant to the Plan, the “**Reorganized**  
6 **Debtors**”) in the above-captioned chapter 11 cases (the “**Chapter 11 Cases**”). I submit this Declaration  
7 in support of the Reorganized Debtors’ Seventy-Sixth Omnibus Objections to Claims (No Liability /  
8 Passthrough Claims) (the “**Omnibus Objection**”),<sup>1</sup> filed contemporaneously herewith.

9 2. As part of my job duties, I manage, administer, and monitor third-party claims,  
10 investigations, and incidents for final determination of property damage, bodily injury, and business  
11 interruption. I oversee department caseload to ensure integrity and regulatory compliance. I develop and  
12 present key analysis and reporting to enterprise officers, operations managers and clients regarding third-  
13 party incidents.

14 3. Except as otherwise indicated herein, all facts set forth in this Declaration are based upon  
15 my personal knowledge, the knowledge of other PG&E personnel working under and alongside me on  
16 this matter, my discussions with the Reorganized Debtors’ various other advisors and counsel, and my  
17 review of relevant documents and information. If called upon to testify, I would testify competently to  
18 the facts set forth in this Declaration. I am authorized to submit this declaration on behalf of the  
19 Reorganized Debtors.

20 4. The No Liability / Passthrough Claims are identified on **Exhibit 1** to the Omnibus  
21 Objection, in the columns headed “Claim/Schedule To Be Disallowed and Expunged.” **Exhibit 1** also  
22 specifically identifies in the “Basis for Objection” that the No Liability / Passthrough Claims are  
23 classified as one of the following:

24 a. Damage Not Caused by PG&E. These are Proofs of Claim where the Reorganized  
25 Debtors, after reviewing their books and records and any information submitted in connection with the  
26 Proofs of Claim, have determined that the harm or damage described in the Proof of Claim was not

27 \_\_\_\_\_  
28 <sup>1</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to such terms in  
the Omnibus Objection.

1 caused by the Debtors. Accordingly, the Reorganized Debtors have determined they are not liable for  
2 these amounts and the corresponding Proofs of Claim should be expunged.

3 b. Post-Petition Claims. These Proofs of Claim assert Claims for amounts that arose after  
4 the Petition Date and, thus, do not represent prepetition liabilities of the Debtors subject to payment  
5 through the chapter 11 claims process. Pursuant to Section 2.1 of the Plan, any Allowed Administrative  
6 Expense Claim that is not due and payable prior to the Effective Date, shall be paid by the Debtors or  
7 the Reorganized Debtors, as applicable, in the ordinary course of business, consistent with past practice  
8 and in accordance with the terms and subject to the conditions of any orders or agreements governing,  
9 instruments evidencing, or other documents establishing, such liabilities. Accordingly, there is nothing  
10 for this Court to resolve with respect to any such Claims and any Proofs of Claim filed on account of  
11 such Claims should be expunged and the surviving claims may be asserted and resolved in the ordinary  
12 course of business.

13 c. No Liability Claims. These Proofs of Claims provide no supporting documentation to  
14 enable the Reorganized Debtors to understand the purported basis for liability and, after reviewing their  
15 books and records, the Reorganized Debtors are unable to determine any liability or basis for the asserted  
16 Claims. In all cases, the Reorganized Debtors' Third-Party Claims Team contacted the Claimant either  
17 by telephone or in writing for more information, and did not receive a response.

18 d. Rule 16 Claims. Certain of the Proofs of Claim assert amounts for removal/trimming of  
19 trees, overgrown vegetation impeding access to the Debtors' facilities, and/or the consequences of  
20 opening locked gates. Pursuant to Pacific Gas and Electric Company Tariff Electric Rule 16 ("**Rule**  
21 **16**"), PG&E shall "at all times have the right to enter and leave Applicant's Premises for any purpose  
22 connected with the furnishing of electric service (meter reading, inspection, testing, routine repairs,  
23 replacement, maintenance, vegetation management, emergency work, etc.) and the exercise of any and  
24 all rights secured to it by law, or under PG&E's tariff schedules." Accordingly, the Rule 16 Claims  
25 assert amounts for which the Debtors are not liable and the corresponding Proofs of Claim should be  
26 disallowed and expunged.

27 5. If not disallowed and expunged, the No Liability / Passthrough Claims potentially could  
28 allow the applicable Claimants to receive recoveries to which they are not entitled.

1 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and  
2 correct to the best of my knowledge, information, and belief. Executed this fifteenth day of April, 2021.

3  
4 /s/ Renee Records  
Renee Records  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28